

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NOVORIVER S.A.,

Plaintiff,

-against-

ARGENTINE REPUBLIC,

Defendant.

No. 19 CV 9786 (LAP)

ORDER

LORETTA A. PRESKA, Senior United States District Judge:

The Court is in receipt of Plaintiff Novoriver S.A.'s motion for a protective order (dkt no. 56), and the opposition of Defendant Republic of Argentina (dkt. no 59). The Court considers the motion fully submitted. After careful review of the parties' submissions, the motion is denied.

Novoriver has failed to carry its burden of making a sufficiently specific and particularized showing of possible retaliation. See Republic of Turkey v. Christie's, Inc., 312 F. Supp. 3d 385, 388 (S.D.N.Y. 2018). Novoriver principally relies upon a State Department report, which generally discusses violence and corruption in Argentina. But that report has no specific relevance to this case. And Novoriver points to no evidence of any threat--general or specific--against it or its President. Simply put, the fact that corruption and violence exists within the borders of a sovereign subject to a civil lawsuit surely cannot--standing alone--establish good cause for

a plaintiff to withhold the identity of its officers and directors. See Rahman v. Smith & Wollensky Rest. Grp., Inc., 2007 WL 1521117, at *11 (S.D.N.Y. May 24, 2007) (the “mere specter of retaliation, without more, does not establish good cause” for a protective order).

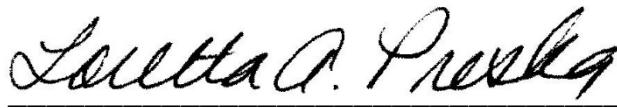
Given Novoriver’s failure to show good cause why a protective order should issue, a protective order here would unnecessarily undermine the “significant interest in open judicial proceedings.” Rapp v. Fowler, 537 F. Supp. 3d 521, 532 (S.D.N.Y. 2021).

For the foregoing reasons, Novoriver’s motion for a protective order (dkt. no. 56) is DENIED. Based on Novoriver’s designating Exhibit C to the Republic’s opposition as Confidential, the Republic’s motion to seal Exhibit C (dkt. no. 58) is GRANTED.

The Clerk of the Court is respectfully requested to mark these motions (dkt. nos. 56, 58) as closed.

SO ORDERED.

Dated: January 18, 2022
New York, New York


LORETTA A. PRESKA
Senior United States District Judge